

the Military Coalition, which represents nearly 6 million uniformed service members, veterans and their families, has formally petitioned Congress to ban the clauses.

2. Unconstitutional. Question: If binding arbitration clauses are so bad, why are they so common? Because a series of Supreme Court rulings (the most recent one in May) have effectively overturned the traditional common-law understanding of arbitration. In past centuries, arbitration was understood as a voluntary option that is fair only when both parties are of roughly equal bargaining power or else have agreed to it freely after a dispute has arisen.

In lieu of that reasonable understanding, the Court has substituted a doctrinaire "right of contract" that allows a powerful party to effectively force a weaker party to waive his or her constitutional right to sue, before a dispute has arisen and often without informed consent. This transformation defies common sense and severely weakens Americans' Seventh Amendment right to a jury trial.

Today, arbitration has devolved into a private star-chamber that's stacked in favor of the accused corporation—which, unsurprisingly, usually wins.

Is the CFPB itself unconstitutional? Yes, in my opinion. But so is forced arbitration. And Congress has a duty to protect our right to a jury trial.

Instead of lashing out at the agency by overturning this regulation, Congress should do the right thing and amend the Federal Arbitration Act to make binding arbitration agreements truly voluntary for all Americans, as the Constitution requires. Having done so, it could then, at its leisure, reform (or, as I would prefer, abolish) the controversial agency.

3. A Political Loser. Those who vote to overturn the CFPB regulation will be placing themselves on the side of accused sexual harassers, corporate wrongdoers and unscrupulous payday lenders who exploit our troops.

If Republicans are politically sensible—or just have an ounce of self-respect—they'll take the high road and let this reasonable rule stand.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

SPEECH OF

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes:

Ms. BONAMICI. Mr. Chair, I rise today in strong opposition to H.R. 3219, the Make America Secure Appropriations Act. I am deeply disappointed that this bill includes an indefensible \$1.6 billion for the President's so-called border wall. It also violates the bipartisan Budget Control Act (BCA) spending caps, strips a long-overdue provision to sunset the 2001 Authorization for Use of Military Force (AUMF), and bars any efforts to close Guantanamo Bay.

H.R. 3219 includes Fiscal Year 2018 funding for the Legislative Branch, the Veterans' Affairs Department, the Department of Defense, and Energy and Water programs at the Department of Energy and Department of the

Interior. Although I have many concerns with the bill, I am pleased that it increased funding for the Army Corps of Engineers, including funding for the Harbor Maintenance Trust Fund, which will help dredge and maintain Oregon ports. I am also grateful that a bipartisan amendment that I championed with Rep. SCOTT PERRY to increase funding for the Water Technologies Office at the Office of Energy Efficiency and Renewable Energy (EERE) was adopted. This will allow Oregon State University to continue their cutting-edge research and development of sustainable hydropower, pumped storage, and marine energy. I am deeply concerned, however, that the bill reduces overall EERE funding and eliminates the Advanced Research Project Agency-Energy (ARPA-E) program. I also do not support the inclusion of harmful policy riders that prevent implementation of National Oceans Policy protections and authorize the withdrawal of the Waters of the United States rule.

I am supportive of provisions in the bill that uphold our commitment to our nation's veterans. The bill provides robust funding for Medical and Prosthetic Research, and prioritizes funding to hire needed doctors, nurses, and medical staff at VA medical centers. Additionally, the bill addresses the ongoing disability claims backlog by requiring regional offices to report on processing performance and remediation efforts.

Unfortunately, the bill also included \$1.6 billion to fund parts of President Trump's border wall, a waste of money that will not secure the border and will have long lasting humanitarian, diplomatic, and environmental consequences. The bill also appropriates Defense spending at \$621 billion, which is \$72 billion above the BCA caps. Without a fix to the caps, this funding level would trigger a mandatory 13.2 percent cut in all defense accounts. This reckless cut is irresponsible. Finally, the bill was stripped of a provision to sunset the 2001 Authorization for Use of Military Force (AUMF), which has been used for more than 15 years to justify ongoing military actions overseas. It is long past time for Congress to reassert our authority and responsibility to debate matters of military force. The Majority's decision to remove this provision—which passed out of the Appropriations Committee with broad bipartisan support—shows a disregard for our duties and the legislative process. Additionally the bill bars any funds from being used to close the detention center at Guantanamo Bay, or to transfer detainees. For those reasons, I am strongly opposed to H.R. 3219 and urge my colleagues to vote no.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 26, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes:

Mr. KIND. Mr. Chair, I will vote against H.R. 3219, the Make America Secure Appropria-

tions Act, because it is not a responsible way to spend taxpayer money. The bill blows through the spending limits in the Budget Control Act. Responsible governing means making hard choices and spending taxpayer money wisely. This bill did not serve either of those goals.

I am particularly concerned about the \$1.57 billion included in this bill to pay for the border wall between the United States and Mexico. For that much money, we could pay for over 94,000 students to get their four-year degrees at a UW-System school. Instead, we are spending that money on a project that will only balloon in price and cost even more to maintain. We need to make smart decisions about how to spend our limited resources. We should be investing in ourselves.

There are plenty of opportunities to pay for important defense priorities by eliminating waste in the Defense Department. In January of 2015, the non-partisan Defense Business Board released a report outlining opportunities for reform that would save \$125 billion in defense spending. That report is now collecting dust. That is money we could be spending on important defense priorities like troop readiness, training, and equipment. This spending bill is another missed opportunity at reform.

Despite voting against the bill, I was happy to see \$55 million provided to the VA to implement the Jason Simcakoski PROMISE Act. The funding will assist in increasing programs to help medical professionals and patients understand the risks associated with pain medication and examine alternative treatments. This will help address the opioid epidemic and give veterans and their families the tools they need and the accountability they deserve.

I understand how important it is to provide ample support for our military, which is why I recently voted in favor of the National Defense Authorization Act. Supporting the brave men and women who defend this nation is of paramount importance. We should not be inserting partisan riders into bills that should be bipartisan. I will continue to work with my colleagues to support our military and pursue fiscally responsible policies that invest in Americans.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes:

Mr. BLUMENAUER. Mr. Chair, I will vote against H.R. 3219, the Department of Defense Appropriations Act for Fiscal Year 2018, also ironically named the, "Make America Secure Appropriations Act" (Roll no. 435). I commend House appropriators for their work on this bill and realize that putting it together was no easy task. However, due to several poison pill provisions and deep budgetary issues, I could not support it.

Most concerning, the bill contains \$1.6 billion in funding to begin construction of a wall